

Docket No. 141-424

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kositprapa et al.

Serial No.: 10/664,803

Group Art Unit: 1615

Filed: September 19, 2003

Examiner: Sasan, Aradhana

For: **NOVEL PHARMACEUTICAL FORMULATION CONTAINING A BIGUANIDE
AND A THIAZOLIDINEDIONE DERIVATIVE**

New York, New York 10036

May 17, 2010

Via Electronic Filing System
Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty to disclose under 37 CFR 1.56, enclosed please find Form PTO/SB/08a listing references which may be considered material to the patentability of the claims of the above-identified application.

I hereby certify that this correspondence is being submitted via the Electronic Filing System ("EFS") to the United States Patent and Trademark Office on May 17, 2010.

/Nicholas P. Chiara/

Nicholas P. Chiara, Reg. No. 52,737

REMARKS

A copy of the reference designated as U.S. Patent Application Publication ("US Pub") 1 is not being submitted as per 37 C.F.R. §1.98(a)(2)(ii). Copies of the Foreign Patent Documents ("FPD") 1-4 are being submitted as per 37 C.F.R. §1.98(a)(2)(i).

Documents FPD 1-4 and US Pub 1 were referenced in related foreign applications. US Pub 1 was referenced as WO01/91753, which was published in German, and therefore we are citing the English language equivalent, U.S. Patent Application Publication 2004/0092531 as US Pub 1. We note WO01/91753 was published in German on December 6, 2001.

Because References US Pub 1 and FPD 1-4 are in English, Applicants are not submitting Statements of Relevance as per 37 C.F.R. §1.98(a)(3)(i).

It is respectfully requested that this art be considered by the Examiner in the above-entitled application and made of record therein.

Because this Supplemental Disclosure Statement is being filed after a Request for Continued Examination and before the first action on the merits it is our understanding that no fee is required.

A Notice of Allowance has been previously issued in the present case, and therefore, the Applicants invite the Examiner to contact the undersigned with any questions about the present submission to expedite the present prosecution.

Respectfully submitted,

/Nicholas P. Chiara/

Nicholas P. Chiara
Reg. No. 52,737

MAILING ADDRESS

FLOREK & ENDRES PLLC
1156 Avenue of the Americas
New York, NY 10036
(ph) (212) 997-1000
(fax) (212) 997-1060